

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 585 of 1996

For Approval and Signature:

Hon'ble MR.JUSTICE M.S.PARIKH

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
2. To be referred to the Reporter or not?
3. Whether Their Lordships wish to see the fair copy of the judgement?
4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
5. Whether it is to be circulated to the Civil Judge?

KAMUBEN NTHUBHAI KATARA

Versus

STATE OF GUJARAT

Appearance:

MR RS SANJANWALA for Petitioner

MR. AG URAIZEE, LD. APP for Respondent No. 1

CORAM : MR.JUSTICE M.S.PARIKH

Date of decision: 05/07/96

ORAL JUDGEMENT

Rule. Service of rule waived by Mr. A.G. Uraizee,
Ld. APP for the respondent no.1 State.

The Investigating Officer has submitted particulars of the actions taken in order to see that the petitioner is protected. Such action is u/S. 107 of the Code of Criminal Procedure. The particulars indicate Chapter cases filed against the concerned persons and

they are 8 in number.

Inspite of the aforesaid report, if any offence is already committed qua the present petitioner and her husband, it would be open to the petitioner to lodge a complaint. If any injury is caused to the petitioner or her husband, appropriate medical certificate if obtained may be annexed with such complaint. It will also be open to the petitioner to annexe any other document if available with the petitioner. As and when such complaints/such complaint is/are made, the Investigating Officer or the concerned police officer is obviously expected to register the offence on a primary scrutiny of such complaint.

In view of the aforesaid observations Mr. Sanjanwala, learned advocate for the petitioners seeks to withdraw this petition at this stage. Permission granted. Rule discharged.

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